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SUBJECT: UN ECOSOC COMMITTEE ON NGOS: THE HUMAN RIGHTS
FOUNDATION

REF: STATE 60300

¶1. Summary and action request: On June 6 ECOSOC's NGO Committee, acting at the behest of the Cuban delegation, rejected an application for consultative status from a New York-based NGO called the Human Rights Foundation. The Cuban delegate called one of the Foundation's board members, former Cuban political prisoner (and former U.S. ambassador to the UN Commission on Human Rights) Armando Valladares, a terrorist. The U.S. delegation called for deferring the first-time application until the Committee could hear from a representative of the NGO, but this was rejected by a vote of 6 (U.S.)-12-1. Cuba then moved to reject the application. Rather than accept a consensus decision, the U.S. called for a vote and the motion to reject the application was approved 13-4 (U.S.)-2. When ECOSOC meets June 30-July 25 and reviews the Committee's report, we recommend the United States seek to overturn the Committee's decision. End summary and action request.

¶2. Background: the Committee on NGOs of the UN's Economic and Social Council is a 19-member body that meets twice a year to review applications from NGOs for consultative status with ECOSOC. Its terms of reference (ECOSOC resolution 1996/31) stipulate that NGOs granted status shall be concerned with matters falling within ECOSOC's competence, shall have aims and purposes that conform with the UN Charter, and shall undertake to support the work of the UN. The resolution also says the NGO shall be of recognized standing within its particular field, shall have a democratically adopted constitution and a representative structure, and shall disclose the sources of its financial support.

¶3. The Human Rights Foundation was registered in the United States in 2005 and submitted its application for ECOSOC consultative status earlier this year. On June 2, after an initial review of the application, the NGO Committee put additional questions in writing to the Foundation, which the Foundation answered in writing on June 4. One of the questions states: "How do you explain your affirmation that you don't and didn't have any links with any person involved in terrorist activity considering Armanda (sic) Valladares's presence in the Board of Directors of this organization, as chairman of this entity?" The Foundation's answer points out among other things that Valladares was a prisoner of conscience in Cuba and so designated by Amnesty International, and a U.S. representative to the UN Commission on Human Rights with the rank of ambassador.

¶4. In the June 6 debate the Cuban delegate accused the Foundation of "insolent, lying, and slanderous" attacks on Cuba and Venezuela, claimed Valladares is a terrorist, passed out copies of largely illegible Cuban court documents and newspaper articles allegedly supporting this claim, and asked the Committee to reject the application. Sudan, China, Guinea, Egypt, Russia, Burundi, Dominica, and an observer

delegate from Venezuela supported Cuba. The U.S. delegate pointed out that Valladares had been a prisoner of conscience in Cuba, his Foundation is now dedicated to promoting the freedom of speech he was denied in Cuba, and the Committee had only heard one side of the story and should invite a representative of the Foundation to come and speak to it at its next session in January 2009. He recommended that action on the application be deferred.

¶15. The Cuban delegate called for a vote on its request to reject the application. The UK, Israel, and Peru supported the U.S. call for a deferral, pointing out that it was customary for the Committee to give first-time applicants an opportunity to address the Committee and unusual for the Committee to take action on so recent an application. The Cuban delegate called for a vote on the U.S. request. The request for a deferral was defeated by a vote of 6 (USA, Colombia, Israel, Peru, Romania, UK) to 12, with one abstention (India).

¶16. Cuba then repeated its request to the Committee to reject the application, calling Valladares a "clown" and "a member of a criminal gang." The Committee chairman (Sudan) asked if the Committee wished to adopt the resolution by consensus, but the U.S. delegate called for a vote. The motion to reject the Foundation's application was adopted by a vote of 13 to 4 (USA, Colombia, Israel, Peru), with two abstentions (Romania and the UK).

¶17. June 6 was the final day of the Committee's resumed 2008 session. Its report will be submitted for approval to ECOSOC, the Committee's parent body, which meets in New York June 30-July 25. We recommend that at this meeting the United States seek to overturn this decision, or

alternatively send the case back to the Committee. Such a request would need to be supported by demarches in the capitals of most of ECOSOC's 54 member states.
Khalilzad